

Federal Housing Finance Agency

§ 1202.7

use” requester, an “educational institution” requester, a “non-commercial scientific institution” requester, or a “representative of the news media” for the purposes of the fee provisions of FOIA, your request must include a statement specifically identifying your status.

(e) *Describing the records you request.* You must describe the records that you seek in enough detail to enable FHFA or FHFA-OIG personnel to locate them with a reasonable amount of effort. Your request should include as much specific information as possible that you know about each record you request, such as the date, title, name, author, recipient, subject matter, or file designations, or the description of the record.

(f) *How you want the records produced to you.* Your request must tell FHFA or FHFA-OIG whether you will inspect the records before duplication or want them duplicated and furnished without inspection.

(g) *Agreement to pay fees.* In your FOIA request you must agree to pay all applicable fees charged under §1202.11, up to \$100.00, unless you seek a fee waiver. When making a request, you may specify a higher or lower amount you will pay without consultation. Your inability to pay a fee does not justify granting a fee waiver.

(h) *Valid requests.* FHFA and FHFA-OIG will only process valid requests. A valid request must meet all the requirements of this part.

§ 1202.6 What if my request does not have all the information FHFA or FHFA-OIG requires?

If FHFA or FHFA-OIG determines that your request does not reasonably describe the records you seek, is overly broad, cannot yet be processed for reasons related to fees, or lacks required information, you will be informed in writing why your request cannot be processed. You will be given 15 calendar days to modify your request to meet all requirements. This request for additional information tolls the time period for FHFA or FHFA-OIG to respond to your request under §1202.7.

(a) If you respond with the necessary information, FHFA or FHFA-OIG will process that response as a new request

and the time period for FHFA or FHFA-OIG to respond to your request will start from the date the additional information is actually received by FHFA or FHFA-OIG.

(b) If you do not respond or provide additional information within the time allowed, or if the additional information you provide is still incomplete or insufficient, FHFA and FHFA-OIG will consider your request withdrawn and will notify you that it will not be processed.

§ 1202.7 How will FHFA and FHFA-OIG respond to my FOIA request?

(a) *Authority to grant or deny requests.* The FOIA Officer and the Chief FOIA Officer are authorized to grant or deny any request for FHFA records. For FHFA-OIG records, the designated FHFA-OIG FOIA Official is authorized to grant or deny any request for FHFA-OIG records.

(b) *Multi-Track request processing.* FHFA and FHFA-OIG use a multi-track system to process FOIA requests. This means that a FOIA request is processed based on its complexity. When FHFA or FHFA-OIG receives your request, it is assigned to a Standard Track or Complex Track. FHFA or FHFA-OIG will notify you if your request is assigned to the Complex Track as described in paragraph (f) of this section.

(1) *Standard Track.* FHFA and FHFA-OIG assign FOIA requests that are routine and require little or no search time, review, or analysis to the Standard Track. FHFA and FHFA-OIG respond to these requests within 20 days after receipt, in the order in which they are received. If FHFA or FHFA-OIG determines while processing your Standard Track request, that it is more appropriately a Complex Track request, it will be reassigned to the Complex Track and you will be notified as described in paragraph (f) of this section.

(2) *Complex Track.* (i) FHFA and FHFA-OIG assign requests that are non-routine to the Complex Track. Complex Track requests are those to which FHFA or FHFA-OIG determines that the request and/or response may—

(A) Be voluminous;